



U.S. Department
of Transportation

Research and
Special Programs
Administration

400 Seventh Street, S.W.
Washington, D.C. 20590

JUL 6 2004

DOT-E 13616

EXPIRATION DATE: December 31, 2004

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: U.S. Department of Commerce
Anchorage, AK
2. PURPOSE AND LIMITATION:
 - a. This emergency exemption authorizes the transportation in commerce of Helium, compressed in DOT specification cylinders which are manifolded and permanently mounted in a protective frame. The cylinders are for use in support of the National Weather Service. This exemption provides no relief from the Hazardous Materials Regulations (HMR) other than as specifically stated herein.
 - b. The safety analyses performed in development of this exemption only considered the hazards and risks associated with transportation in commerce. The safety analyses did not consider the hazards and risks associated with use as a component of a transport vehicle or other device, or other uses not associated with transportation in commerce.
3. REGULATORY SYSTEM AFFECTED: 49 CFR Parts 106, 107 and 171-180.
4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR § 172.101 Table, Column (9B) in that the quantity limitation for cargo aircraft only is exceeded.
5. BASIS: This emergency exemption is based on the application of U.S. Department of Commerce dated July 2, 2004, in accordance with § 107.117 and a determination that it is necessary to prevent significant economic impact.

6. HAZARDOUS MATERIALS (49 CFR § 172.101):

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Hazardous Materials Description			
Proper Shipping Name	Hazard Class/ Division	Identification Number	Packing Group
Helium, compressed	2.2	UN1046	N/A

7. SAFETY CONTROL MEASURES:

a. PACKAGING - Prescribed packagings are manifolded DOT Specification 3T, 3AAX, 3AX and 3AA cylinders within a standard ISO container frame bearing an ABS approval and CSC Safety Approval plate with the appropriate Approval number. The ISO container frame may be up to 20' long and 8' wide with heights to 4'3", and may contain cylinders up to 20' in length with water volumes up to 3000 liters. Each cylinder must: 1) be equipped with an individual shutoff valve that is tightly closed while in transit; 2) be separately charged; and 3) be provided with a means to insure that no interchange of cylinder contents can occur during transportation.

b. OPERATIONAL CONTROLS - The authorized air carrier is Lynden Air Cargo.

8. SPECIAL PROVISIONS:

a. A current copy of this exemption must be maintained at each facility where the package is offered or reoffered for transportation.

b. Transportation of cylinders is only authorized to support the National Weather Service.

c. The marking requirements of § 172.301 are waived for each cylinder, however each frame must be marked "DOT-E 13616".

9. MODES OF TRANSPORTATION AUTHORIZED: Cargo aircraft only.

10. MODAL REQUIREMENTS: A current copy of this exemption must be carried aboard each cargo aircraft used to transport packages covered by this exemption. The shipper must furnish a copy of this exemption to the air carrier before or at the time the shipment is tendered.
11. COMPLIANCE: Failure by a person to comply with any of the following may result in suspension or revocation of this exemption and penalties prescribed by the Federal hazardous materials transportation law, 49 U.S.C. 5101 et seq:
- o All terms and conditions prescribed in this exemption and the Hazardous Materials Regulations, 49 CFR Parts 171-180.
 - o Persons operating under the terms of this exemption must comply with the security plan requirement in Subpart I of Part 172 of the HMR, when applicable.
 - o Registration required by § 107.601 et seq., when applicable.

Each "Hazmat employee", as defined in § 171.8, who performs a function subject to this exemption must receive training on the requirements and conditions of this exemption in addition to the training required by §§ 172.700 through 172.704.

No person may use or apply this exemption, including display of its number, when this exemption has expired or is otherwise no longer in effect.

12. REPORTING REQUIREMENTS: The carrier is required to report any incident involving loss of packaging contents or packaging failure to the Associate Administrator for Hazardous Materials Safety (AAHMS) as soon as practicable. (Sections 171.15 and 171.16 apply to any activity undertaken under the authority of this exemption.) In addition, the holder(s) of this exemption must inform the AAHMS, in writing, of any incident involving the package and shipments made under the terms of this exemption.

Issued in Washington, D.C.:

Robert A. McGuire
Robert A. McGuire
Associate Administrator for
Hazardous Materials Safety

JUL 6 2004

(DATE)

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Address all inquiries to: Associate Administrator for Hazardous Materials Safety, Research and Special Programs Administration, Department of Transportation, Washington, D.C. 20590.
Attention: DHM-31.

Copies of this exemption may be obtained by accessing the Hazardous Materials Safety Homepage at <http://hazmat.dot.gov/exemptions> Photo reproductions and legible reductions of this exemption are permitted. Any alteration of this exemption is prohibited.

PO: DL